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World Chronicle

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GUEST: **Jose Ayala LASSO**
UN High Commissioner for Human Rights

JOURNALISTS: Paul Lewis
The New York Times

Raghida Dergham
Al-Hayat (London)

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UN HIGH COMMISSIONER FOR HUMAN RIGHTS

JOSE AYALA LASSO, the United Nations High Commissioner for Human Rights, elaborates on his role in preventing human rights violations throughout the world. He hopes to achieve results by strengthening the existing moral authority and the political basis to carry out his duties authoritatively. He advocates an attitude of openness and vigilance and seeks the cooperation of governments, international and non-governmental organisations and individuals. One critical aspect of his work is the promotion of education for human rights. Strengthening the human rights of women is another concern. Mr. Ayala Lasso declares that he will inform the Security Council when he concludes that human rights violations threaten peace and security.

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ANNOUNCER: From United Nations Headquarters in New York, this is **World Chronicle**, an unedited interview programme about major global issues. Here now to introduce our guest is the host of today's **World Chronicle**.

LITTLEJOHNS: I'm Michael Littlejohns, and this is **World Chronicle**.

Perhaps none of the purposes enshrined in the United Nations Charter is more important than the respect and protection of human rights and fundamental freedoms. Over the years, human rights have evolved further to encompass the right to economic, social and cultural development, and, in an historic decision last year, the 48th United Nations General Assembly approved the appointment of a High Commissioner for Human Rights.

Our guest today has been recently appointed to this post. He is Jose Ayala Lasso, who is also the Permanent Representative of his country, Ecuador, to the United Nations.

Joining me to talk to Mr. Ayala Lasso are Paul Lewis of The New York Times and Raghida Dergham of Al-Hayat of London. Mr. Ayala Lasso, welcome to World Chronicle.

AYALA LASSO: Thank you.

LITTLEJOHNS: Mr. Ambassador, you're the permanent representative of Ecuador, and you've been involved in the discussions which culminated in the establishment of the office to which you have been appointed. Why was it thought necessary, given the fact that there are so many organizations within the UN system that are devoted to the protection of human rights, to have a high commissioner?

AYALA LASSO: Well, you have said, when you kindly presented me, that the United Nations considered it necessary to create the job of high commissioner because for more than 42 years people of the world have been striving to have a voice of moral value, of high political authority, to speak not only from the technical point of view, but especially from the moral point of view in order to put the respect for human rights in the priority that the Charter of the United Nations has consecrated from it. So I think that the evolution of the conceptions about human rights has reached the point where it was necessary, it was unavoidable, to create a high commissioner for human rights. And that is why the last General Assembly succeeded in creating the job.

LITTLEJOHNS: Why has it taken so long to come up with this decision?

AYALA LASSO: Well, in my opinion, there are many causes, some of them linked to the atmosphere prevailing in the world years ago -- it is the confrontational atmosphere. There were not only the confrontations between the East and the West, but there were aiso confrontations between North and South. And countries where

human rights were specifically looked upon considered that the attitudes of other countries wanting to promote human rights were based on political reasons. And they considered that even the high commissioner could be a new instrument of oppression or intervention in internal affairs of States. So many suspicions, many doubts existed, and these doubts and suspicions made impossible the creation of a high commissioner.

LITTLEJOHNS: So, how do you interpret your responsibilities? What are your functions?

AYALA LASSO: I think that perhaps the most important responsibility I will have will be to strengthen permanently these moral and political bases that the post has been created on. I think that the voice of the high commissioner should be always authoritative -- it is respected. So in as much as the world accepts the value of the positions taken by high commissioner, he will be able to succeed in this tremendous and challenging job.

LEWIS: Your mandate says that you're to have a dialogue, a dialogue with governments. Now, how do you interpret that? Does it give you a right to have an investigation or to investigate things?

AYALA LASSO: I think that "dialogue" is self explanatory. I plan to establish that kind of dialogue with all the governments of the world. This will be a dialogue open to analysis of every possible situation. It will not mean any prejudice at all. So I will dialogue with countries A to Z without prejudice; my dialogue will not be with only those countries which are accused of violating human rights, we deal with everyone. And I will try in that dialogue to create the possibilities of negotiations, of diplomatic approaches in order to obtain what everybody wants to promote, the cause of human rights.

LEWIS: And are you prepared to submit reports on violations, a report to the Human Rights Commission, for example?

AYALA LASSO: Well, yes, the [General] Assembly in the resolution stated that I will submit a yearly report. And of course one of the attributions of the instruments already existing in the mechanisms of the United Nations included the presentation of reports. So I will make use of this instrument as soon as necessary.

DERGHAM: Ambassador, there seems to be already a paradox in the mandate that you have. It seems that you are supposed to get the consent of the governments whose record on human rights you're supposed to observe, and on the other hand you say you will not intervene with their business. How can you make the two opposites meet there, and how are you going to go about it? You're supposed to intervene with these governments to make sure that their abuses of human rights don't go on.

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AYALA LASSO: Well, I think that the paradox is apparent, because, you see, the strength of my mandate lies in the fact that I will be very strict in acting within the limits of my mandate. So the consensus existed because the limits of the mandate were quite clearly defined. So I will respect those limits. Those limits are, first of all, the Charter of the United Nations, the legal instruments existing; the political guidance of the [General] Assembly, of ECOSOC [Economic and Social Council], of the Human Rights Commission; and the subordination to the Secretary General. Under those premises, the totality of members of United Nations created the post of High Commissioner.

DERGHAM: In a way it sounds like more of a lofty aim rather than a practical measure that you'll be taking. It seems that this is a lofty aim and it's nice and kind and lovely, but it seems that it is rather symbolic, more symbolic than practical, doesn't it to you?

AYALA LASSO: No, I don't think so. I think that there is -- the value of the capacity of conviction is enormous. Actually, everybody acts by personal convictions. So what we need is to try to increment the feeling in the world that respect of human rights is something that everybody should take in mind.

DERGHAM: Let me take this a little further from the opposite point of view as well. Some countries have said, in fact, the idea of creating the post is to serve some political aims of different countries, of different ideologies, or different direction. Do you think this is a misinterpretation, or do you think it's a China Syndrome sort of fear that here is a creation of this post to interfere politically in the affairs of other countries? And how are you going to avoid having this impression, at least this perception, stay?

AYALA LASSO: I think that perception is not a correct one, because if that could correspond to reality, I am sure, you know, that the consensus would not have existed at all. Precisely because there are countries who were thinking that that was possible. And that's why, years ago, the creation of the high commissioner was not a fact. Now this has evolved. Within those countries, all those who have supported the decision of the General Assembly have reached the conclusion that a high commissioner may do good work, and especially the high commissioner is not going to be an instrument of any political interest particularly.

LEWIS: All right, so are human rights the same for everybody, or is there some room for cultural relativism?

AYALA LASSO: I think that the resolution clearly states that it is the duty of States to respect, to promote and protect human rights and fundamental freedoms.

Irrespective of the political organization, ideological organization, religious beliefs. But then, it is important to take into account, the resolution says, the particularities, regional or national, regarding culture, religion, and so forth.

LEWIS: Because, I mean, some Asian countries argue that they have a cultural right to be naturally more authoritarian than western democracies.

AYALA LASSO: I think that we will try to develop a culture of human rights in such a way as to raise constantly what is known as the standards of respect of human rights. I think that human rights are universal, are indivisible, are interdependent, are related.

LITTLEJOHNS: Regardless of culture?

LEWIS: So they are the same for everybody.

AYALA LASSO: There are certain standards which are, regardless of culture, accepted and protected by everybody. Certainly, those standards are not the same everywhere. But we should try to raise permanently this level of standards in such a way that the particularities of culture, religion, will be taken into account in order to adapt our ways of acting and proceeding to obtain these aims.

DERGHAM: Let me, if you will permit me, take a case in point in this particular point you have made. About 26 years ago, the first International Conference on Human Rights was held in Iran, in Teheran, Iran and that was before Iran became an Islamic country -- I mean, Islamic republic. And so now the Iranians believe that they're applying the Islamic laws in their country, and therefore they defend it in the sense, let's say as an example, the treatment of women. And the UN makes several reports. They say there's violations by Iran of human rights. What will you do? What are your duties, in particular, in a case like this? What will you do in a case like Iran, where there is an interpretation of Islam, or there may be a contradiction in the application of the interpretation of Islam, with human rights?

AYALA LASSO: I'd like to address the question from a general point of view, saying that I entirely understand that there are special circumstances linked to culture, religions, history which make the problem very complex. That's precisely one of the facets of this problem which require more capacity of understanding of diplomatic dialogue, of conviction. I will try all those mechanisms. I want to assure you, as I have said from the very first day, that certainly there are mechanisms already existing in the United Nations which I will use as necessary anywhere, whenever it is convenient.

LITTLEJOHNS: Ambassador, I'd like to bring the question a bit closer to home. There was a period when your country, Ecuador, had a military junta in command, and during that period I believe you were the Foreign Minister. Were there

violations of human rights during that period? And if so, did you take a stand against them?

AYALA LASSO: Certainly. I'm going to give you an answer which I have been trying to avoid in order not to be considered as defending de facto governments. But I would say that Ecuador is a country very well known for permanent good record regarding human rights.

LITTLEJOHNS: Even during -- ?

AYALA LASSO: And even -- yes -- and even during de facto governments, Ecuador was a country where never the idea of *dictadura*, in Spanish, applied to the government of Ecuador. The Latin American sociological lexicon created the words, say "*dictablanda*", meaning *dictum*, but soft *dictum*. That was a characteristic of Ecuador. Ecuador has never been a country persistently or systematically violating human rights.

Whenever a case of human rights existed in my country which required investigation, it was done. And I was a permanent critic of the case that Mr. Lewis mentioned in one of his articles, and probably what you are thinking about. But I must remind you that the International Labour Organisation made an analysis of that case, and after the analysis considered that no further investigation was required. I criticized them. I said in my speech during the General Assembly, as that's the proof of special love for my country, I will be more severe with Ecuador than with any other countries around this matter. And I think that my personal convictions in this field are sufficiently known and clear as to have given me the pleasure and honour to be elected by 184 votes at the United Nations membership.

LEWIS: What sort of resources are you going to have? Have you been given any extra staff or extra money for the Human Rights Centre over in Geneva?

AYALA LASSO: The resolution comes with an annex, as you know, which is the budgetary proposals. And then I have only one professional and two secretaries to serve with me in Geneva, and one professional and one secretary here in New York. You judge yourself if you consider that enough. Of course, I must say that I am going to work with the Centre for Human Rights in Geneva. They have a very well-structured institution, and my plan is to work permanently in collaboration with them.

LITTLEJOHNS: This is World Chronicle. Our guest is Jose Ayala Lasso, the UN High Commissioner for Human Rights. Paul?

LEWIS: Travel, I was going to ask about. Are you going to have funds for travel so that you can go around and have this dialogue and investigate abuses?

AYALA LASSO: I have no funds now, but I will have enough because I plan to travel. I plan to be in touch with governments. As I have said to you, I think that the

nature of the mandate I have received will oblige me to go to one, to other places in the world where it will be required, my presence.

I think that the authority of the moral voice of the High Commissioner interpreting the 184 members of the United Nations, working in close collaboration with the NGOs, will require the High Commissioner to be in the hot spots of the world. I will go there, I will be there and I will try to be useful for human rights.

DERGHAM: Ambassador, speaking of authority though, let us see whose business is human rights, in effect, and in making other than the moral authority clear. It is the business of the General Assembly that created the post, but the tools of enforcement are in the hands of the Security Council. So this is what authority really means, taking action. So how are you planning your work, away, or in coordination with the Security Council? And I would like a follow-up once you answer me, if you don't mind.

AYALA LASSO: Yes. In as much as the human rights component will be a part of a peacekeeping operation, you are in the field of the competence of the Security Council; then I will coordinate my work with all the organs of the United Nations -- precisely with the Security Council if it is necessary.

I think that the best way to act and to promote human rights and to promote the rule of law in the world is to respect the limits of the jurisdiction. So if the Council, within the scope of its competence, decides that a case of human rights is putting in danger peace and security, then there will be a decision of the Council, and the High Commissioner will be working with the Security Council.

DERGHAM: But will you be in the position to go to the Security Council and say here's a case that needs sanctions imposed on X government, or even war crimes resolutions adopted? Will you be in such a position to go to the Council and recommend such an action, or you have no right to do so?

AYALA LASSO: I will let the Security Council know my point of view regarding when human rights could become a danger for peace and security. And that's the only reason why the Security Council could intervene and take decisions on this matter. If that is not the case, I will certainly try different ways and different means in order to address this problem of human rights.

LITTLEJOHNS: So what redress does the international community have in egregious cases of violations of human rights, if it's only a question of intervening by the Security Council when there's a threat to international peace and security? Which probably doesn't happen too often in such violations.

AYALA LASSO: That's right. You are right. The Charter has limits, and the Charter has created those limits, and States are willing those limits to be respected. So there will be cases, limited I hope, that the Council should intervene. But there will be many other cases where human rights questions could be handled in a different way.

I think that the world has not reached still the point where compulsory authority is a perfect institution, not even in peace and security. So what we must appeal to is to moral authority. And I think that human beings listen more carefully and probably more attentively to human authority in the deep substance of the problems than to simply the causative authority of force.

DERGHAM: How much is moral authority over a dictator somewhere going to be awakened by just the call for the moral authority, Mr. Ambassador? Let's be realistic. Those who are abusing human rights --

AYALA LASSO: You are right.

DERGHAM: -- are hardly the kind of people who would respond to the call for moral authority and responsibility. So --

AYALA LASSO: You are right. But in that case I think we have a resource to shame them into compliance.

DERGHAM: How? What is it? What is the resource?

AYALA LASSO: Using all the means at my hand. You know how they are -- how limited they are -- or how limited they are if you think about the importance of the voice of humankind.

LEWIS: So have you set yourself any priorities in terms of particular countries or particular kinds of abuses of human rights?

AYALA LASSO: I have prepared a programme of action which will take into account very specific generic problems: for instance, the human rights of women. I think that the case of women is one of the historically neglected cases. Even in our western civilization, it is not so far away that the women are allowed to vote, for instance, in political elections. And still there are countries where men are obliged to vote as the expression of members of political society, and women have the right to vote, not the obligation to vote.

So all those distinctions -- apparently simple -- are the way this inequality of treatment appears substantially in societies of the world. So I will address the problem of the rights of women as one of my big priorities.

LEWIS: So are you going to challenge *shari'ah* law for example, and the stoning to death of adulteresses?

AYALA LASSO: Those are the kind of cultural particularities you were mentioning which do not go with the standards required. I would say that the standard of behaviour should [not] be to allow women to be stoned, certainly not.

DERGHAM: Ambassador, there is a perception among third world countries that there is a selective approach to criticizing human rights abuses, and that these third world countries are being more targeted; whereas former President Carter, for example, had said there are many human rights violations right here in the United States. Will you be looking into this sort of perception, and will you be looking into violations of human rights in societies such as the United States?

AYALA LASSO: Certainly. You see, I think that society -- the more educated is a society, the more obliged it is to give good example. So let's not say our violations of human rights as a good educated society are very few comparatively with others, no. In as much as there is one single human right violated, there is something to correct and measures to be taken immediately. And it is a shame that everywhere in the world, everywhere, the north, south, east, west, there are human rights violated. And that's why the High Commissioner has been created.

DERGHAM: And will you interfere or will you take it up, if it is the business of one particular person? And I'll tell you who, for example: former Foreign Minister of Libya, Mansur Kikhia, who was a very important human rights activist, has disappeared in Egypt. And it is said, it is alleged that he may have been taken to Tripoli. We don't know where he is. So it is a case of one person who is a former diplomat and an activist on human rights. Will you take it upon yourself to take up an issue like his as an individual issue, on an individual basis?

AYALA LASSO: Yes, let me not address a particular case, but let me say that if one individual has his or her human rights violated, it is good cause for the High Commissioner to take care of. So I will address those cases, without doubt.

LEWIS: Yes, I was wondering about a case like Salman Rushdie. Are you prepared to take up that with the Iranian authorities?

AYALA LASSO: I will do [so] with every human right violated. In the best way to obtain good results.

LITTLEJOHNS: Does that apply also to this woman who's under house arrest in Myanmar, formerly Burma?

AYALA LASSO: Certainly. I think that one other category of human rights violation which will attract my attention immediately is the case of political prisoners. Because I think that one of the most important human rights is the right to think; that differentiates men and women from other beings in the creation. And the right to think

means the right to communicate, to participate, to interchange opinions and ideas. To suppress that right in my opinion is one of the worst violations of human rights, so I will intervene.

LITTLEJOHNS: What about the question of the Palestinians in the Middle East? Is that something that comes under your mandate, the treatment of the Palestinians?

AYALA LASSO: Certainly, I think so. I think so. We all know how many resolutions are adopted yearly by the Commission on Human Rights of the General Assembly regarding the human rights of Palestinians. I will study very carefully all those situations, and I will do what the world expects me to do on that matter.

LITTLEJOHNS: It sounds as if you're going to have a lot of travel on your hands.

AYALA LASSO: I am, I will, certainly.

LEWIS: Is it true that democracies usually are the best -- that democracy is the best system for defending human rights?

AYALA LASSO: Well, I think that --

LEWIS: Or for encouraging respect for human rights?

AYALA LASSO: Yes. If you analyze history, if you analyze the world, the contemporary world, you will realize that, of course, all the systems are not perfect and are perfectible. But democracy is perhaps the system where you are allowed to live more in correspondence with your own dignity. So, in my opinion, democracies favour the accomplishment of the respect of human rights. But I think the best way of defining the problem will be that no real democracy could exist without human rights being respected.

DERGHAM: How could you afford those people who are going to challenge the violations of human rights in certain countries -- how will you be able to afford them enough confidence that they're not going to be persecuted and they're not going to be used and punished? Is there any such system to encourage people to report human rights violations and guarantee them safety?

AYALA LASSO: The guarantee is very difficult to establish, but I would say that the good fights, the endeavours for good causes require a lot of heros. And I hope that we will have hundreds of thousands of heros fighting for [the] human rights cause. And I will try to guide or to be a voice of orientation for those people. My aspiration is to, through a system of education for human rights -- I will give special emphasis to the problems of education for human rights, in the Centre, for instance. My idea is to

obtain that each human being will become a high commissioner for his or her human rights.

DERGHAM: You sound like you need a network, your own network.

AYALA LASSO: Yes, yes, I will.

LITTLEJOHNS: The Centre in Geneva, Mr. Ambassador, receives thousands upon thousands of petitions every year, complaints and so on, from people who accuse their governments of violations of human rights. Should people now address themselves to you, or should they continue to go to the Centre? Or both?

AYALA LASSO: Yes both, they may use both channels of communication. The Centre -- I am going to work in the Centre, with the Centre, for the Centre. So I think that these communications will be handled by the division which actually is handling them. There are a lot of ad hoc groups, committees from each one of the big committees on human rights existing in Geneva, and all of them have this area of communications. So I will try to simply coordinate these areas of communications.

LITTLEJOHNS: So much of your role will be one of coordination with the existing organizations?

AYALA LASSO: One of the important mandates I have received is to coordinate the whole machinery with the United Nations regarding human rights.

LITTLEJOHNS: Mr. Ayala Lasso, that's all the time we have. Thank you for joining us on this edition of World Chronicle.

AYALA LASSO: Thank you.

LITTLEJOHNS: Our guest has been Jose Ayala Lasso, the UN High Commissioner for Human Rights. He was interviewed by Paul Lewis of The New York Times and Raghida Dergham of Al-Hayat of London. I'm Michael Littlejohns. Thank you for joining us. We invite you to be with us for the next edition of World Chronicle.

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